

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GUSTAVO SARAIVIA, RONALD CUCOLO, and OMAR
MORALES AGUILAR; on behalf of themselves and all
other persons similarly situated,

Plaintiffs,

- against -

2799 BROADWAY GROCERY LLC d/b/a CASCABEL
TAQUERIA; 301 EAST 80th GROCERY LLC d/b/a
CASCABEL TAQUERIA; and/or any other entities
affiliated with, controlling, or controlled by 2799
BROADWAY GROCERY LLC d/b/a CASCABEL
TAQUERIA; 301 EAST 80th GROCERY LLC d/b/a
CASCABEL TAQUERIA and/or DAVID CHIONG;
ELIZABETH GAUDREAU, individually,

Defendants.

No.: 12-CV-7310

**NOTICE OF MOTION FOR
FINAL APPROVAL OF THE
PROPOSED SETTLEMENT**

PLEASE TAKE NOTICE that upon the annexed Declaration of Daniel Markowitz, sworn to on December 10, 2015, and all exhibits attached thereto, along with the memorandum of law in support, the undersigned will respectfully move this Court, at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, New York, 10007, before the Honorable Paul A. Crotty, for Plaintiffs' unopposed motion for an Order (1) approving the settlement as fair, reasonable, and adequate for Class Members, (2) binding all Class Members who have not timely opted out to the release of the Released State Law Claims as set forth in the Stipulation, (3) dismissing the Litigation with prejudice, and (4) such other and further relief as this Court deems just and proper.

Dated: New York, New York
December 10, 2015

Respectfully submitted,

_____/s/_____
Daniel Markowitz, Esq.
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Attorneys for Plaintiffs